

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of	)	Attorney Docket No.: <b>SUGI0158</b>
Kazuhiko SUGIYAMA et al.	)	Confirmation No.: 6391
	)	
Serial No.: 10/561,514	)	Group Art Unit: Unknown
	)	
Filed: December 20, 2005	)	Examiner: Unknown
	)	
For: APPARATUS AND METHOD OF	)	Date: December 20, 2007
DIVIDING AND SUPPLYING GAS	)	
TO A CHAMBER FROM A GAS	)	
SUPPLY APPARATUS EQUIPPED	)	
WITH A FLOW-RATE CONTROL	)	
SYSTEM	)	

**PETITION (B) FOR RECONSIDERATION OF HOLDING OF ABANDONMENT,**  
**OR ALTERNATIVELY, TO REVIVE APPLICATION**  
**PURSUANT TO 37 C.F.R. § 1.137**

**MAIL STOP: PCT**

United States Patent and Trademark Office  
Customer Service Window  
Randolph Building  
401 Dulany Street  
Alexandria, VA 22314

Sir:

Applicants respectfully petition for reconsideration of the holding of abandonment set forth in the Notification of Abandonment mailed with respect to the above-captioned application on November 29, 2007, which alleges Applicants failed to satisfy the requirements of 35 U.S.C. § 371 and 37 C.F.R. § 1.495. In the alternative, Applicants respectfully petition to revive the above-captioned application pursuant to 37 C.F.R. § 1.137. The facts are as follows.

Applicants filed the above-captioned application on December 20, 2005 with the United States Patent and Trademark Office (USPTO) as evident from the corresponding date-stamped Receipt Card, a copy of which is attached herewith as "Exhibit A" (1 page). As

evident from Exhibit A, the above-captioned application was filed with a 2-page Declaration and Power of Attorney (See Exhibit A, item no. 8 of the Receipt Card date stamped December 20, 2005). A copy of the 2-page Declaration and Power of Attorney that was filed with the above-captioned application on December 20, 2005 is attached herewith as “Exhibit B” (2 pages).

As a result of a clerical error at the USPTO, Applicants received a “Notification of Missing Requirements Under 35 U.S.C. 371,” mailed January 31, 2007, which alleged that the application was complete except for a missing oath or declaration and the required late submission surcharge. A copy of the “Notification of Missing Requirements Under 35 U.S.C. 371” is attached herewith as “Exhibit C” (2 pages).

Applicants responded to the “Notification of Missing Requirements Under 35 U.S.C. 371” on March 13, 2007 by filing electronically a document titled “Response to Notification of Missing Requirements Under 35 U.S.C. 371,” a copy of which is attached herewith as “Exhibit D” (7 pages). Applicants’ response was timely and included a copy of the December 20, 2005 date-stamped filing Receipt Card establishing that the 2-page Declaration and Power of Attorney form had been previously filed with the USPTO on December 20, 2005 as evident from Exhibit D. Applicants, however, did not re-file another copy of the 2-page Declaration and Power of Attorney.

The USPTO issued a “Notification of Abandonment” on November 29, 2007, a copy of which is enclosed herewith as “Exhibit E” (1 page). The “Notification of Abandonment” alleges that Applicants failed to respond to the Notification of Missing Requirements mailed January 31, 2007.

**Request for Reconsideration of Holding of Abandonment**

Applicants respectfully request that the holding of abandonment be withdrawn for the following reasons. First, Applicants filed a complete application on December 20, 2005, which included a Declaration and Power of Attorney form as evident from Exhibits A and B. Therefore, the Notification of Missing Requirements mailed January 31, 2007 was the result of a clerical error on the part of the USPTO. For the convenience of the USPTO, Applicants file herewith another copy of the Declaration and Power of Attorney that was filed on December 20, 2005.

Second, Applicants' response to the Notification of Missing Requirements was timely filed on March 13, 2007 as evident from Exhibit D. Therefore, the Notification of Abandonment was issued due to another clerical error at the USPTO.

In view of the above facts, Applicants respectfully request that the holding of abandonment be reconsidered and withdrawn because the above-captioned application was complete at the time it was filed on December 20, 2005 and Applicants made a good faith effort to bring this fact to the attention of the USPTO when filing a response to the Notification of Missing Requirements on March 13, 2007.

**Request for Revival of Application**

While Applicants believe that the holding of abandonment should be withdrawn for all of the above reasons, Applicants respectfully request that if the holding of abandonment is not withdrawn, then the application be revived pursuant to 37 C.F.R. § 1.137(b).

Specifically, the entire delay in the filing of the required reply to the Notification of Missing Requirements until the filing of this grantable petition was unintentional as evident from the facts stated above.

Applicants have filed herewith a copy of the 2-page Declaration and Power of Attorney filed December 20, 2005, which should satisfactorily reply to the Notification of Missing Requirements.


Applicants do not presently file a terminal disclaimer as required by 37 C.F.R. § 1.137(d) because Applicants believe the holding of abandonment should be withdrawn for all of the reasons discussed above. However, if the holding of abandonment is not withdrawn, Applicants will file a terminal disclaimer pursuant to 37 C.F.R. § 1.137(d) at the request of the USPTO.

Applicants do not believe that any fees are required in order to process Applicants' request for reconsideration of the holding of abandonment, but should the filing of this paper necessitate a fee, the Director is hereby authorized to charge the necessary fee to Deposit Account No. 50-1281. In addition, if the holding of abandonment is not withdrawn, then the Director is hereby authorized to charge all necessary fees to process Applicants' request for revival of an unintentionally abandoned application to Deposit Account No. 50-1281.

The below-signed attorney for Applicants welcomes any questions.

Respectfully submitted,

*GRIFFIN & SZIPL, P.C.*

  
\_\_\_\_\_  
Joerg-Uwe Szimpl  
Registration No. 31,799

GRIFFIN & SZIPL, P.C.  
Suite PH-1  
2300 Ninth Street, South  
Arlington, VA 22204

Telephone: (703) 979-5700  
Facsimile: (703) 979-7429  
Email: GandS@szipl.com  
Customer No.: 24203

IAPS Rec'd PCT/PTO 30 DEC 2005

This card, when stamped with the date stamp of the U. S. Patent and Trademark Office, acknowledges receipt of the following papers comprising the application for Letters Patent of Kazuhiko SUGIYAMA for APPARATUS AND METHOD OF DIVIDING AND SUPPLYING GAS TO A CHAMBER FROM A GAS SUPPLY APPARATUS EQUIPPED WITH A FLOW-RATE CONTROL SYSTEM, said application comprising:

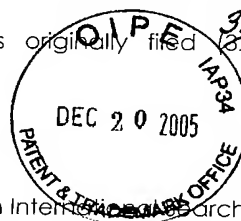
1. Return Receipt Postcard;
2. Credit Card Authorization in the amount of \$900.00;
3. Form PTO 1390 in duplicate;
4. Application Data Sheet (6 pages);
5. Preliminary Amendment (A) (16 pages), Replacement Drawings (2 sheets), Annotated Drawings (2 sheets);
6. English Language Translation of application as originally filed <sup>31, 200</sup> ~~32~~ Pages of Specification, Claims & Abstract);
7. 6 Pages of Drawings (Figures 1- 7);
8. Declaration and Power of Attorney (2 pages);
9. Second Copy of English Language translation;
10. Copy of the Japanese Application as Filed;
11. PCT Publication No. WO 2004/114038 (4 pages) with International Search Report;
12. International Search Report Dated 09/06/04(2 pages).

10/561514

Dkt. # SUGI0158 Due: December 20, 2005 (JUS/nv)

said application comprising:

1. Return Receipt Postcard;
2. Credit Card Authorization in the amount of \$900.00;
3. Form PTO 1390 in duplicate;
4. Application Data Sheet (6 pages);
5. Preliminary Amendment (A) (16 pages), Replacement Drawings (2 sheets), Annotated Drawings (2 sheets);
6. English Language Translation of application as originally filed <sup>31, 200</sup> ~~32~~ Pages of Specification, Claims & Abstract);
7. 6 Pages of Drawings (Figures 1- 7);
8. Declaration and Power of Attorney (2 pages);
9. Second Copy of English Language translation;
10. Copy of the Japanese Application as Filed;
11. PCT Publication No. WO 2004/114038 (4 pages) with International Search Report;
12. International Search Report Dated 09/06/04(2 pages).



Dkt. # SUGI0158 Due: December 20, 2005 (JUS/nv)

EXHIBIT

A

**DECLARATION FOR UNITED STATES PATENT APPLICATION**  
(For Use With Both PCT and Non-PCT Applications) (Atty. Docket: SM10158)

As a below named inventor, I declare that: My residence, post office address and citizenship are as stated below next to my name. I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled, (1) Device and Method for Supplying Gas while Dividing to Chamber from Gas Supplying Facility Equipped with Flow Controller, the specification of which is attached hereto unless the following box is checked: (2) ☒ was filed on (3) June 10, 2004 and was amended on (5) (4) as U. S. Appl. SN or PCT International Appl. No. PCT/JP2004/008117 (if applicable).

I state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above. I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56. I claim priority benefits under 35 USC 119 of any United States or foreign application(s) for patent or inventor's certificate listed below and have also identified below any United States or foreign application(s) for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Prior United States or Foreign Application(s)

NUMBER	COUNTRY	DAY/MONTH/YEAR FILED	PRIORITY CLAIMED
(6) <u>2003-177134</u>	<u>JAPAN</u>	<u>20/06/2003</u>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
			<input type="checkbox"/> Yes <input type="checkbox"/> No
			<input type="checkbox"/> Yes <input type="checkbox"/> No
			<input type="checkbox"/> Yes <input type="checkbox"/> No

I claim the benefit under 35 USC 120 of the United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of 35 USC 112, I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application:

Appln. Serial No.	Filing Date	(Status: <input type="checkbox"/> Patented <input type="checkbox"/> Pending <input type="checkbox"/> Abandoned)
(7) _____	_____	(Status: <input type="checkbox"/> Patented <input type="checkbox"/> Pending <input type="checkbox"/> Abandoned)

I appoint Joerg-Uwe Szipl, Reg. No. 31,799, W. Scott Ashton, Reg. No. 47,395, Roy Roberts, Reg. No. 54,402, and Griffin & Szipl, P.C., individually and jointly, my attorneys/agents with full power of substitution and revocation, to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith, and with the resulting patent, whose address is Griffin & Szipl, PC, Suite PM-1, 2200 9th Street, South, Arlington, Virginia 22204-2320, Telephone No. (703) 979-5700, Customer No. 24203.

I declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 USC 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

The undersigned hereby authorize(s) Griffin & Szipl, P.C. of the above address to insert hereon any further identification or correction necessary or desirable for submission of this document.

(8) Full name of sole or first inventor Kazuhiko SUGIYAMA  
Inventor's signature Kazuhiko Sugiyama Date Nov. 15, 2005  
Residence Nirasaki-shi, Yamaguchi, JAPAN  
Citizenship Japanese  
Post Office Address 527, Wakao, Okusa-cho, Nirasaki-shi, Yamaguchi 967-0027, JAPAN

(8) Full name of joint inventor Nobukazu IKEDA  
Inventor's signature Nobukazu Ikeda Date Nov. 15, 2005  
Residence Osaka-shi, Osaka, JAPAN  
Citizenship Japanese

Post Office Address c/o Fujikin Incorporated, 3-2, Itachibori 2-chome, Nishi-ku, Osaka-shi, Osaka 550-0012, JAPAN

(8) Full name of joint inventor Kouji NISHINO  
Inventor's signature Kouji Nishino Date Nov. 15, 2005  
Residence Osaka-shi, Osaka, JAPAN  
Citizenship Japanese

Post Office Address c/o Fujikin Incorporated, 3-2, Itachibori 2-chome, Nishi-ku, Osaka-shi, Osaka 550-0012, JAPAN

(8) Full name of joint inventor Ryousuke DOHI  
Inventor's signature Ryousuke Dohi Date Nov. 15, 2005  
Residence Osaka-shi, Osaka, JAPAN  
Citizenship Japanese

Post Office Address c/o Fujikin Incorporated, 3-2, Itachibori 2-chome, Nishi-ku, Osaka-shi, Osaka 550-0012, JAPAN

**EXHIBIT**

**B**

10/561514

(8) Full name of joint inventor Toyomi UENOYAMA  
 Inventor's signature Toyomi UenoYama Date Nov. 15, 2005  
 Residence Osaka-shi, Osaka, JAPAN  
 Citizenship Japanese  
 Post Office Address c/o Fujikin Incorporated, 3-2, Itachibori 2-chome, Nishi-ku, Osaka-shi, Osaka 550-0012  
JAPAN

- (1) Insert title of invention.
- (2) Check block for PCT application or U. S. application already on file, and complete items (3), (4) and (5).  
 If PCT national phase entry application, insert international PCT application filing date, Serial No., and date of any Article 19 amendments.
- (6) Complete for foreign priority documents; add additional page if needed.
- (7) Complete for earlier US parent applications; add additional page if needed.
- (8) Complete ALL blanks. Attach second page for further joint inventors.

CAUTION: THIS FORM MAY BE USED ONLY IF ALL INVENTORS READ AND UNDERSTAND ENGLISH.



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/561,514	Kazuhiko Sugiyama	SUGI0158

24203  
 GRIFFIN & SZIPL, PC  
 SUITE PH-1  
 2300 NINTH STREET, SOUTH  
 ARLINGTON, VA 22204

3 FEB 2007 1 2007

INTERNATIONAL APPLICATION NO.
-------------------------------

PCT/JP04/08117

I.A. FILING DATE	PRIORITY DATE
06/10/2004	06/20/2003

CONFIRMATION NO. 6391

371 FORMALITIES LETTER



\*OC00000002227392\*

Date Mailed: 01/31/2007

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 12/20/2005
- Copy of the International Search Report filed on 12/20/2005
- Preliminary Amendments filed on 12/20/2005
- Information Disclosure Statements filed on 03/27/2006
- Request for Immediate Examination filed on 12/20/2005
- U.S. Basic National Fees filed on 12/20/2005



The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

#### SUMMARY OF FEES DUE:

Total additional fees required for this application is **\$130** for a Large Entity:

- **\$130** Surcharge.



**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

Registered users of EFS-Web may alternatively submit their reply to this notice via EFS-Web.  
<https://sportal.uspto.gov/authenticate/AuthenticateUserLocalEPF.html>

For more information about EFS-Web please call the USPTO Electronic Business Center at **1-866-217-9197** or visit our website at <http://www.uspto.gov/ebc>.

**If you are not using EFS-Web to submit your reply, you must include a copy of this notice.**

CHRISTINE S WASHINGTON

Telephone: (703) 308-9140 EXT 228

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/561,514	PCT/JP04/08117	SUGI0158

## Electronic Acknowledgement Receipt

EFS ID:	1588790
Application Number:	10561514
International Application Number:	
Confirmation Number:	6391
Title of Invention:	Apparatus and method of dividing and supplying gas to a chamber from a gas supply apparatus equipped with flow-rate control system
First Named Inventor/Applicant Name:	Kazuhiko Sugiyama
Customer Number:	24203
Filer:	Joerg-Uwe V. Szipl/Nichole Vasquez
Filer Authorized By:	Joerg-Uwe V. Szipl
Attorney Docket Number:	SUGI0158
Receipt Date:	13-MAR-2007
Filing Date:	
Time Stamp:	16:39:23
Application Type:	U.S. National Stage under 35 USC 371

### Payment information:

Submitted with Payment	no
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### File Listing:

Document Number	Document Description	File Name	File Size(Bytes)	Multi Part /.zip	Pages (if appl.)
1	Applicant Response to Pre-Exam Formalities Notice	07-03-13_Submission_of_Missing_Requirements.pdf	250686	no	3

Warnings:

EXHIBIT

D

**Information:****Total Files Size (in bytes):**

250686

This Acknowledgement Receipt evidences receipt on the noted date by the USPTO of the indicated documents, characterized by the applicant, and including page counts, where applicable. It serves as evidence of receipt similar to a Post Card, as described in MPEP 503.

**New Applications Under 35 U.S.C. 111**

If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.

**National Stage of an International Application under 35 U.S.C. 371**

If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course.

**New International Application Filed with the USPTO as a Receiving Office**

If a new international application is being filed and the international application includes the necessary components for an international filing date (see PCT Article 11 and MPEP 1810), a Notification of the International Application Number and of the International Filing Date (Form PCT/RO/105) will be issued in due course, subject to prescriptions concerning national security, and the date shown on this Acknowledgement Receipt will establish the international filing date of the application.

## Electronic Acknowledgement Receipt

EFS ID:	1588790
Application Number:	10561514
International Application Number:	
Confirmation Number:	6391
Title of Invention:	Apparatus and method of dividing and supplying gas to a chamber from a gas supply apparatus equipped with flow-rate control system
First Named Inventor/Applicant Name:	Kazuhiko Sugiyama
Customer Number:	24203
Filer:	Joerg-Uwe V. Szipl/Nichole Vasquez
Filer Authorized By:	Joerg-Uwe V. Szipl
Attorney Docket Number:	SUGI0158
Receipt Date:	13-MAR-2007
Filing Date:	
Time Stamp:	16:39:23
Application Type:	U.S. National Stage under 35 USC 371

### Payment information:

Submitted with Payment	no
------------------------	----

### File Listing:

Document Number	Document Description	File Name	File Size(Bytes)	Multi Part /.zip	Pages (if appl.)
1	Applicant Response to Pre-Exam Formalities Notice	07-03-13_Submission_of_Missing_Requirements.pdf	250686	no	3
Warnings:					

**Information:****Total Files Size (in bytes):**

250686

This Acknowledgement Receipt evidences receipt on the noted date by the USPTO of the indicated documents, characterized by the applicant, and including page counts, where applicable. It serves as evidence of receipt similar to a Post Card, as described in MPEP 503.

**New Applications Under 35 U.S.C. 111**

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**National Stage of an International Application under 35 U.S.C. 371**

If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course.

**New International Application Filed with the USPTO as a Receiving Office**

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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of	)	Attorney Docket No.: <b>SUGI0158</b>
Kazuhiko SUGIYAMA et al.	)	Confirmation No.: 6391
Serial No.: 10/561,514	)	Group Art Unit: 2821
Filed: December 20, 2005	)	Examiner: Unassigned
For: DEVICE AND METHOD FOR	)	Date: March 13, 2007
SUPPLYING GAS WHILE DIVIDING	)	
TO CHAMBER FROM GAS	)	
SUPPLYING FACILITY EQUIPPED	)	
WITH FLOW CONTROLLER	)	

**RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS**  
**UNDER 35 U.S.C. 371**

**MAIL STOP: PCT**  
U.S. Patent and Trademark Office  
Customer Service Window  
Randolph Building  
401 Dulany Street  
Alexandria, VA 22314

Sir:

A Notification of Missing Requirements dated January 31, 2007 has been issued in the above-captioned application in error. The Notification indicates that the oath or declaration was missing from the initial application filing and is required, along with the appropriate surcharge.


Attached is a copy of the date-stamped receipt card, showing that the Declaration was filed on December 20, 2005 with the application. Therefore, it is believed that the Notification of Missing Requirements was issued in error and neither the Declaration or surcharge is necessary. However, a copy of the originally-filed Declaration is attached.

In view of the above, it is believed that the filing requirements under 37 U.S.C. 371 have been met and that the application be accorded the date of December 20, 2005 as both the filing and 371 completion dates

It is believed that no fee is required with the filing of this paper, however, should the filing of this paper necessitate a fee, the Director is hereby authorized to charge the necessary fee to Deposit Account No. 50-1281.

Respectfully submitted,

GRIFFIN & SZIPL, PC

  
\_\_\_\_\_  
Joerg-Uwe Szimpl  
Registration No. 31,799

GRIFFIN & SZIPL, PC  
Suite PH-1  
2300 Ninth Street, South  
Arlington, VA 22204

Telephone: (703) 979-5700  
Facsimile: (703) 979-7429  
E-mail: GandS@szipl.com  
Customer No.: 24203

IAP3 Rec'd PCT/PTO 20 DEC 2005

This card, when stamped with the date stamp of the U. S. Patent and Trademark Office, acknowledges receipt of the following papers comprising the application for Letters Patent of Kazuhiko SUGIYAMA for APPARATUS AND METHOD OF DIVIDING AND SUPPLYING GAS TO A CHAMBER FROM A GAS SUPPLY APPARATUS EQUIPPED WITH A FLOW-RATE CONTROL SYSTEM, said application comprising:

1. Return Receipt Postcard;
2. Credit Card Authorization in the amount of \$900.00;
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4. Application Data Sheet (6 pages);
5. Preliminary Amendment (A) (16 pages), Replacement Drawings (2 sheets), Annotated Drawings (2 sheets);
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12. International Search Report Dated 09/06/04(2 pages).

10/561514

Dkt. # SUGI0158 Due: December 20, 2005 (JUS/nv)

said application comprising:

1. Return Receipt Postcard;
2. Credit Card Authorization in the amount of \$900.00;
3. Form PTO 1390 in duplicate;
4. Application Data Sheet (6 pages);
5. Preliminary Amendment (A) (16 pages), Replacement Drawings (2 sheets), Annotated Drawings (2 sheets);
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11. PCT Publication No. WO 2004/114038 (4 pages) with International Search Report;
12. International Search Report Dated 09/06/04(2 pages).



Dkt. # SUGI0158 Due: December 20, 2005 (JUS/nv)





UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/561,514	Kazuhiko Sugiyama	SUGI0158

24203  
GRIFFIN & SZIPL, PC  
SUITE PH-1  
2300 NINTH STREET, SOUTH  
ARLINGTON, VA 22204

DEC - 3 2007

INTERNATIONAL APPLICATION NO.	
PCT/JP04/08117	
I.A. FILING DATE	PRIORITY DATE
06/10/2004	06/20/2003

CONFIRMATION NO. 6391  
371 ABANDONMENT/TERMINATION  
LETTER



Date Mailed: 11/29/2007

**NOTIFICATION OF ABANDONMENT**

The United States Patent and Trademark Office in its capacity as a Designated / Elected Office (37 CFR 1.495) has made the following determination:

- Applicant has failed to respond to the notification of MISSING REQUIREMENTS (Form PCT/DO/EO/905), mailed 01/31/2007 within the time period set therein.

Therefore, the above identified application failed to meet the requirements of 35 U.S.C. 371 and 37 CFR 1.495, and is ABANDONED AS TO THE UNITED STATES OF AMERICA.

DONNA S GREENE

Telephone: (703) 308-9140 EXT 222

